



**DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION\***

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Methods and Compositions For Diagnosis And Treatment of Cancer Based On The Transcription Factor ETS2**

and for which a patent application:

is attached hereto and includes amendment(s)  
 was filed in the United States on April 25, 2001 as Application No. 09/841,963 with amendment(s) filed on *(if applicable)*  
 was filed as PCT international Application PCT/US99/27805 on 23/11/99 and was amended under PCT Article 19 on *(if applicable)*

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION |         |                                      |   |
|--|---------|--------------------------------------|---|
| APPLICATION NUMBER   | COUNTRY | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED  |
| PCT/US99/27805   | PCT     | November 25, 1998                    | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
|  |         |                                      | YES <input type="checkbox"/> NO <input type="checkbox"/>            |
|  |         |                                      | YES <input type="checkbox"/> NO <input type="checkbox"/>            |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

| PROVISIONAL APPLICATION NUMBER | FILING DATE       |
|--------------------------------|-------------------|
| 60/109,850                     | November 25, 1998 |
|                                |                   |
|                                |                   |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| NON-PROVISIONAL APPLICATION SERIAL NO. | FILING DATE | STATUS   |         |           |
|--|-------------|----------|---------|-----------|
|  |             | PATENTED | PENDING | ABANDONED |
|  |             |          |         |           |
|  |             |          |         |           |
|  |             |          |         |           |

\* for use only when the application is assigned to a company, partnership or other organization.



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|             |   |   |                                |                                  |                   |
|-------------|---|---|--------------------------------|----------------------------------|-------------------|
| 2<br>0<br>1 | FULL NAME OF INVENTOR   | LAST NAME<br>Watson                               | FIRST NAME<br>Dennis           | MIDDLE NAME<br>K.                |                   |
|             | RESIDENCE & CITIZENSHIP   | CITY<br>Mount Pleasant                            | STATE OR FOREIGN COUNTRY<br>SC | COUNTRY OF CITIZENSHIP<br>U.S.A. |                   |
|             | POST OFFICE ADDRESS   | STREET<br>617 Hobcaw Bluff Drive                  | CITY<br>Mount Pleasant         | STATE OR COUNTRY<br>SC           | ZIP CODE<br>29464 |
|             |   | SIGNATURE OF INVENTOR 201<br><i>Dennis Watson</i> |                                | DATE<br>8/22/01                  |                   |
| 2<br>0<br>2 | FULL NAME OF LEGAL REPRESENTATIVE OF DECEASED INVENTOR TAKIS S. PAPAS | LAST NAME<br>Papas                                | FIRST NAME<br>Tula             | MIDDLE NAME<br>Christy           |                   |
|             | RESIDENCE & CITIZENSHIP   | CITY<br>Kiawah Island                             | STATE OR FOREIGN COUNTRY<br>SC | COUNTRY OF CITIZENSHIP<br>U.S.A. |                   |
|             | POST OFFICE ADDRESS   | STREET<br>58 Clay Hall Drive                      | CITY<br>Kiawah Island          | STATE OR COUNTRY<br>SC           | ZIP CODE<br>29455 |
|             |   | SIGNATURE OF INVENTOR 202<br><i>Tula C Papas</i>  |                                | DATE<br>8/22/01                  |                   |
| 2<br>0<br>3 | FULL NAME OF INVENTOR   | LAST NAME   | FIRST NAME                     | MIDDLE NAME                      |                   |
|             | RESIDENCE & CITIZENSHIP   | CITY  | STATE OR FOREIGN COUNTRY       | COUNTRY OF CITIZENSHIP           |                   |
|             | POST OFFICE ADDRESS   | STREET  | CITY                           | STATE OR COUNTRY                 | ZIP CODE          |
|             |   | SIGNATURE OF INVENTOR 203                         |                                | DATE                             |                   |
| 2<br>0<br>4 | FULL NAME OF INVENTOR   | LAST NAME   | FIRST NAME                     | MIDDLE NAME                      |                   |
|             | RESIDENCE & CITIZENSHIP   | CITY  | STATE OR FOREIGN COUNTRY       | COUNTRY OF CITIZENSHIP           |                   |
|             | POST OFFICE ADDRESS   | STREET  | CITY                           | STATE OR COUNTRY                 | ZIP CODE          |
|             |   | SIGNATURE OF INVENTOR 204                         |                                | DATE                             |                   |
| 2<br>0<br>5 | FULL NAME OF INVENTOR   | LAST NAME   | FIRST NAME                     | MIDDLE NAME                      |                   |
|             | RESIDENCE & CITIZENSHIP   | CITY  | STATE OR FOREIGN COUNTRY       | COUNTRY OF CITIZENSHIP           |                   |
|             | POST OFFICE ADDRESS   | STREET  | CITY                           | STATE OR COUNTRY                 | ZIP CODE          |
|             |   | SIGNATURE OF INVENTOR 205                         |                                | DATE                             |                   |



POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dennis K. Watson et. al.

Application No.: 09/841,963

Group Art Unit: 1619

Filed: April 25, 2001

Examiner: To be assigned

For: METHODS AND COMPOSITIONS  
FOR DIAGNOSIS AND TREATMENT  
OF CANCER BASED ON THE  
TRANSCRIPTION FACTOR ETS2

Attorney Docket No.: 10545-015-999

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints: S. Leslie Misrock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956),

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Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37386), Garland T. Stephens (Reg. No. 37242) and William J. Sipio (Reg. No. 34514), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

An assignment of the entire interest in the above-identified subject application:

was recorded on \_\_\_\_\_ at reel/frame \_\_\_\_\_. \_\_\_\_\_

is submitted herewith for recording.

Please direct all correspondence for this application to customer no. 20583.

ASSIGNEE: Medical University of South Carolina  
Signature: Joseph C. Good Jr.  
Typed Name: Joseph C. Good Jr.  
Position/Title: General Counsel  
Address: Medical University of South Carolina  
              171 Ashley Avenue  
              Charleston, SC 29425-2213  
Date: September 14, 2001

## ASSIGNMENT

JOINT

WHEREAS, WE, Dennis K. Watson; Tula Christy Papas, legal representative of Takis S. Papas (deceased), ASSIGNS, citizens of the United States, residing at 617 Hobcaw Bluff Drive, Mount Pleasant, SC 29464 and 58 Clay Hall Drive, Kiawah Island, SC 29455, are the inventors of the invention in METHODS AND COMPOSITIONS FOR DIAGNOSIS AND TREATMENT OF CANCER BASED ON THE TRANSCRIPTION FACTOR ETS2 for which we have executed an application for a Patent of the United States

which is executed on  even date herewith or  \_\_\_\_\_  
 which is identified by Pennie & Edmonds LLP docket no. 10545-015-999  
 which was filed on April 25, 2001, Application No. 09/841,963

and WHEREAS, Medical University of South Carolina, having an office for the transaction of business at 171 Ashley Avenue, Charleston, SC 29425, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 8/22/01, 2001 Dennis K. Watson L.S.

Date 8/22/01, 2001 Tula C. Papas L.S.

State of }  
County of } SS.:

On August 22, 2001, before me, Meredith A. Asleson, Notary Public, personally appeared Dennis K. Watson, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal  
Meredith A. Asleson

State of South Carolina,  
County of Charleston} SS.:

On August 22, 2001, before me, Mary Paula Livingston, Notary Public, personally appeared Tula Christy Papas, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal  
Mary Paula Livingston